

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Bi-State Development Agency Act is amended by changing Section 2 and adding Section 10 as follows:

(45 ILCS 105/2) (from Ch. 127, par. 63s-2)

Sec. 2. (a) Of the Commissioners first appointed one shall be appointed to serve for a term of one year, one for two years, one for three years, one for four years and one for five years from the third Monday in January following his appointment. Beginning with the appointment to be filled in January of 2004, and the expiration of each term of each commissioner thereafter, and each succeeding commissioner thereafter, the Chairman of the County Board of the County of Madison or the County of St. Clair, as the case may be, shall, by and with the advice and consent of the respective County Board, appoint a successor who shall hold office for a term of five years. Each commissioner shall hold office until his successor has been appointed and qualified. The commissioners shall elect a chairman of the Illinois delegation annually from among themselves.

(b) The Chairman of the County Board of St. Clair County shall appoint a commissioner for the term expiring in January,

2004 and in the following year the Chairman of the County Board of Madison County shall appoint a commissioner for the term expiring in January of that year. Successive appointments shall alternate between the Chairman of the St. Clair County Board and the Chairman of the Madison County Board, except as may be modified by the provisions of subsection (c).

(c) In the event that a tax has been imposed in Monroe County consistent with the provisions of Section 5.01 of the Local Mass Transit District Act, the Chairman of the Monroe County Board shall, upon the expiration of the term of a commissioner who is a resident of the County in which 3 of the then remaining commissioners reside, appoint a commissioner with the advice and consent of the Monroe County Board. The commissioner appointed by the Monroe County Board shall hold office for a term of 5 years and a successor shall be appointed by the chairman of the Monroe County Board, with the advice and consent of the Monroe County Board. The appointments of the 4 remaining commissioners shall then continue to alternate between St. Clair and Madison County so that each County shall continue to retain the appointments of 2 commissioners. To the extent that this subsection (c) conflicts with any other provision of this Section or Section 3, the provisions of this subsection (c) control.

(d) A county authorized to appoint commissioners that does not contract for light rail service with the Bi-State Development Agency and does not pay for that service in part

with county-generated revenue shall be limited to one commissioner. When the term of an existing commissioner expires from the county without light rail service and there is another commissioner from that county serving an unexpired term, the commissioner leaving shall be replaced by an appointee from a county contracting for light rail service; this process shall continue until the county without light rail service has only one commissioner. At that point, that one commissioner will continue to be appointed as previously authorized by this Act.

(Source: P.A. 93-432, eff. 6-1-04.)

(45 ILCS 105/10 new)

Sec. 10. Urbanized Area Formula Funding program; Madison Mass Transit District.

(a) As used in this Section:

"Agency" means the Bi-State Development Agency.

"District" means the Madison Mass Transit District.

"Federal formula" means the Urbanized Area Formula Funding program under 49 USC 5307.

(b) The Agency shall pass through to the District on an annual basis the amount of federal formula assistance equal to 100% of the Alton/Wood River urbanized area formula allocation as capital assistance, on the basis that the District is the exclusive provider of public transit service in the Alton/Wood River urbanized area with total responsibility for capital and operating expenses to deliver such services. The District shall

be responsible for any obligations associated with the receipt of these funds as required by the Federal Transit Administration.

(c) The Agency shall pass through to the District 100% of that portion of the federal formula funds allocation generated to the St. Louis urbanized area as a result of the District's filing of National Transit Database statistics for passengers miles and revenue miles for those transportation services operated and reported by the District, including motor bus, demand response, and vanpool services, as defined by the Federal Transit Administration. The Agency shall use the Federal Transit Administration Unit Values of Data, published annually in the Federal Register, to calculate this allocation each year. The District shall be responsible for any obligations associated with the receipt of these funds as required by the Federal Transit Administration.

(d) The Agency shall retain the federal formula funds allocated by the Federal Transit Administration to the region on the basis of Madison County, Illinois population and population density within the St. Louis urbanized area. Additionally, the Agency shall retain those federal formula funds allocated on the basis of regular fixed route and seasonal services operated and reported by the Agency in the St. Louis urbanized area. These revenues shall constitute the total financial commitment and payment in full for:

(1) all claims, debts or obligations, rights,

liabilities, direct or indirect, made or asserted by the Agency, arising out of any previous service agreements, issues, or relationship between the District and the Agency occurring on or before June 30, 2019; and

(2) any capital or operating subsidy for the MetroLink Light Rail System, as currently configured or as may be extended in the future. The Agency shall afford the District's bus passengers and vehicles full access to the MetroLink system without any additional fees or surcharges above and beyond those fares typically charged residents of the St. Clair County, the City of St. Louis, Missouri, or St. Louis County, Missouri, for comparable distance trips, subject to any agreement between the Agency and the District existing on the effective date of this amendatory Act of the 101st General Assembly, until such time MetroLink is extended into Madison County.